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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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FOLEY & LARDNER 321 NORTH CLARK STREET SUITE 2800 CHICAGO, IL 60610-4764			ALIE, GHASSEM	
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			3724	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/763,892	Applicant(s) MCLEAN ET AL.	
	Examiner Ghassem Alie	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: “57” in Fig. 6.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The amendment filed 12/15/03 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: amended claims 1 and 13 recite, “a cartridge pivotally connected to the sleigh at a first end of the cartridge” which is not supported by the original disclosure. Amended claim 1 also recite, “a cutting element engaging the cartridge and removable without the use of tools” which is not supported by the

original disclosure. The original disclosure teaches that cartridge 16 snap fits onto sleigh 18. See page 6, lines 2-5 of the specification. It is not clear to one ordinary skill in the art how the cartridge is pivotally connected to the sleigh at a first end of the cartridge. It is not clear how the cartridge pivots relative to the sleigh while it is snap fitted onto the sleigh. The original disclosure fails to teach that the cutting element is removable from without the use of tools. The cutting element has to be secure to the casing; therefore, it is not clear how the blade can be removed from the casing of the cartridge without the use of tools.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding claims 1 and 13, the specification fails to teach that the cartridge is pivotally connected to the sleigh at a first end of the cartridge. The original disclosure teaches that cartridge 16 snap fits onto sleigh 18. See page 6, lines 2-5 of the specification. It is not clear how the cartridge pivots relative to the sleigh while it is snap fitted onto the sleigh. Regarding claim 1, the specification fails to teach that the cutting element is removable from without the use of tools. The cutting element has to be secure to

the casing; therefore, it is not clear how the blade can be removed from the casing of the cartridge without the use of tools.

This is a new matter rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, and 11, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Cornell et al. (5,802,942), hereinafter Cornell. Regarding claim 1, Cornell teaches a material cutting device 10 including a board 12 upon which a material is to be cut and the board includes a first surface upon which material is placed. Cornell also teaches a rail member 6 operatively and rotatably connected to the board 12. Cornell also teaches a cartridge assembly 16, 18 slidably engaging the rail member 60 and slidable along a cutting axis 32 along the board 12. The blade assembly 16 and carrier 18 define the cartridge assembly. Cornell also teaches that the cartridge assembly includes a sleigh 18 in slidable engagement with the rail member 60. Cornell also teaches a cartridge 16 removably connected to the sleigh and the cartridge 16 being removable from the sleigh 18 without the use of tools. Cornell also teaches a cutting element 100 engaging the cartridge 16 and removable without the use of tools, and wherein a cutting surface 102 of the cutting element 100 aligns with the cutting axis 32 of the board 12. The See Figs. 1-11 and col. 3 and 4, lines 1-66 in Cornell.

Regarding claim 2, Cornell teaches everything noted above including that the cartridge 16 snap fits with the sleigh 18. See Figs. 3-5 in Cornell.

Regarding claim 11, Cornell teaches everything noted above including a plurality of hinge members 76, 78 rotatably coupling the rail member 14 to the cutting board 12. See Figs. 1 and 2 in Cornell.

7. Claims 1, 2, 11, and 12, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Baba (5,322,001). Regarding claim 1, Baba teaches a material cutting device 10 including a board 12 upon which a material is to be cut and the board includes a first surface upon which material is placed. Baba also teaches a rail member 14 operatively and rotatably connected to the board 12. Baba also teaches a cartridge assembly 16 slidably engaging the rail member 14 and slidable along a cutting axis along the board 12. Baba also teaches that the cartridge assembly 16 includes a sleigh 34 in slidable engagement with the rail member 14. Baba also teaches a cartridge 36 pivotally connected to the sleigh 34 at a first end of the cartridge. Baba also teaches a cutting element 18 engaging the cartridge 36 and removable without the use of tools, and wherein a cutting surface of the cutting element 18 aligns with the cutting axis of the board 12. The cartridge 36 is pivotally connected to the sleigh 36, since the cartridge 36 is connected to the sleigh 34 at a pivot point 64 and the cartridge can be pivoted to the right side or the left side. See Figs. 1-7 and col. 2, lines 51-68 and col. 3, lines 1-66 in Baba.

Regarding claim 2, Baba teaches everything noted above including that the cartridge 36 snap fits with the sleigh 34. See Figs. 5-7 in Baba.

Regarding claim 11, Baba teaches everything noted above including a plurality of hinge members 26 rotatably coupling the rail member 14 to the cutting board 12. See Fig. 1 in Baba.

Regarding claim 12, Baba teaches everything noted above including a cutting mat 23 positioned within the board 12 along the cutting axis. See 1-4 Baba.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 2, and 13, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber (802,720) in view of Yang (2002/0096031), Baba, and Nunez et al. (2003/0154835), hereinafter Nunez. Regarding claims 1 and 13, Weber teaches a material cutting device including a rail member f, a cartridge assembly a, d slidably engaged with the rail member f along a cutting axis. The main frame and the gage d define the cartridge assembly. Weber also teaches a sleigh d in slidable engagement with the rail member f. Weber also teaches a cutting element b removably engaging the cartridge (a) wherein a cutting surface of the cutting element aligns with the cutting axis. Weber also teaches a biasing member (e) operatively connected to the cartridge (a) at a second end of the cartridge and the biasing member biasing the cartridge away from the sleigh. See Figs. 1-4 and page 1, lines 1-100 in Weber. Weber does not teach that the cartridge pivotally connected to the sleigh at first end of the cartridge. However, the use of a cartridge pivotally connected to a

sleigh is well known in the art such as taught by Yang. Yang teaches a cartridge 12 that is pivotally connected to a sleigh 11. See Figs. 1-2 in Yang. It would have been obvious to a person of ordinary skill in the art to provide Weber's cutting device with pivoting connection between the cartridge and the sleigh as taught by Yang, in order to facilitate the downward movement of the cartridge. Weber does not teach a board upon which a material is to be cut and that rail member operatively and rotatably connected to the board. Baba teaches a board 12 upon which a material is to be cut and a rail assembly 14, which is rotatably connected, to the board 12. See Figs. 1-4 in Baba. It would have been obvious to a person of ordinary skill in the art to provide Weber's cutting device with the board and rotatable connection of the rail assembly with respect to the board as taught by Baba in order to support and hold the material to be cut on a surface and facilitate the cutting operations. Weber also does not teach that the cutting element is removable from the cartridge assembly without the use of tools. However, removing a blade from a cartridge by hand without the use of tools is well known in the art such as taught by Nunez. Nunez teaches a blade engaging with a cartridge 16 and removable by hand without the use of tools. See Fig. 1 in Nunez. It would have been obvious to ordinary skill in the art to provide a screw for Weber's cutting device, as taught by Nunez, in order to tight or untight the screw by hand and facilitate the replacement of the cutting element.

Regarding claim 2, Weber as modified by Baba teaches everything noted above except that the cartridge snap fits the sleigh. However, Official notice is taken that the use of snap fit rod and within a cap or lid is well known in the art and the Weber's screw can be replaced by this type of fastener that facilitate the disengagement of the sleigh and the 8.

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10. Claims 3-5, and 14-17, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Yang, Baba, and Nunez, as applied to claims 1 and 13, and in further view of DuBois. Regarding claims 3, 14, and 21, Weber as teaches everything noted above including that the cartridge a includes a cartridge casing and an axel C2 fixedly secured to the cutting element b. See Figs. 1-5 in Weber. Weber as modified by Baba does not teach a coupling member positioned between the axle and the cartridge casing and the coupling member acting against the axel to align the cutting element against the rail member. However, the use of coupling member to act against the axel of a blade for keeping the blade align with a cutting axis is well known in the art such as taught by DuBois. DuBois teaches a coupling member 58 which is located between a casing of the knife assembly 36 and a shaft 49 for acting against the axel 49 to align the cutting element against the rail member 38. See Fig. 3 and col. 3, lines 46-68 in DuBois. It would have been obvious to a person of ordinary skill in the art to provide the cartridge of Weber's cutting device with a coupling member as taught by DuBois in order to keep the cutting element align with the wall of the rail member or the support edge of the rail member.

Regarding claims 4 and 16, Weber teaches everything noted above including that the cartridge a includes a biasing member e operatively connected to the cartridge casing and the biasing member e basing the cartridge away from the sleigh d. Weber also teaches that the biasing member e is a leaf spring. See Figs. 1-5 in Weber.

Regarding claim 15, Weber as modified above teaches everything noted above except that the cartridge snap fits the sleigh. However, Official notice is taken that the use of snap fit rod and within a cab or lid is well known in the art and the Weber's screw can be

replace by this type of fastener that facilitate the disengagement of the sleigh and the cartridge from one another.

Regarding claim 17, Weber, as modified by Baba, teaches everything noted above including a cutting mat 23 positioned within the board 12 along the cutting axis. See 1-4 Baba.

11 Claim 3, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Baba or Cornell in view of DuBois (4,515,053). Regarding claim 3, Baba teaches everything noted above including that the cartridge 36 includes a cartridge casing 55 and an axel 64 fixedly secured to the cutting element 18. See Figs. 5-7 in Baba. Regarding claim 3, Cornell also teaches everything noted above including that the cartridge 16 has a cartridge casing 112, 114 and an axel 126 fixedly secured to the cutting element 100. See Figs. 3-4 in Cornell. Baba or Cornell does not teach a coupling member positioned between the axle and the cartridge casing and the coupling member acting against the axel to align the cutting element against the rail member. However, the use of coupling member to act against the axel of a blade for keeping the blade align with a cutting axis is well known in the art such as taught by DuBois. DuBois teaches a coupling member 58 which is located between a casing of the knife assembly 36 and a shaft 49 for acting against the axel 49 to align the cutting element against the rail member 38. See Fig. 3 and col. 3, lines 46-68 in DuBois. It would have been obvious to a person of ordinary skill in the art to provide the cartridge of Baba's or Cornell's cutting device with the coupling member as taught by DuBois in order to keep the cutting element align with the wall of the rail member or the support edge of the rail member.

12. Claim 5, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Baba, Yang, Nunez, and DuBois, as applied to claim 4, and in further view of Yang (2002/0096031). Weber as modified above teaches everything noted except that the biasing member is fixedly attached to the upper casing member. However, the use of a spring fixedly attached to an upper housing of a cartridge is well known in the art such as taught by Yang. Yang teaches a spring 34 fixedly attached to an upper casing 30 of a cartridge. See Fig. 4 in Yang. It would have been obvious to a person of ordinary skill in the art to provide Webber's cutting device, as modified above, with a spring fixedly attached to the upper housing as taught by Yang, since both spring that is fixedly attached to the upper housing and a spring that is not fixedly attached to the upper housing function the same.

13. Claims 6 and 7, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Baba in view of Schulz (2003/0140761) or Chan et al. (Des. 412,931), hereinafter Chan. Regarding claim 5, Baba teaches everything noted above except that the cutting device further includes a first measuring arm rotatably and operatively connected to the board and the first measuring arm rotatable about an axis substantially perpendicular to the cutting axis. However the use of measuring arm which is rotatable is well known in the art such as taught by Schulz or Chan. Schulz teaches a first measuring arm 200 operatively connected to a board 12 and the first measuring arm 200 is rotatable about an axis substantially perpendicular to the cutting axis. See Figs. 12 and 13 in Schulz. Chan also teaches a first measuring arm operatively connected to a board and the first measuring arm is rotatable about an axis substantially perpendicular to the cutting axis. See Figs. 1-7 in Chan. It would have been obvious to a person of ordinary skill in the art to provide Baba's cutting

device with the measuring arm as taught by Schulz or Chan in to support the material and align the material to the cutter.

Regarding claim 7, Baba as modified by Schulz teaches everything noted above including that the first measuring arm 200 includes a first surface that is substantially coplanar with the first surface of the board. See Figs. 12 and 13 in Schulz.

14. Claim 8, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Baba in view of Schulz, as applied to claim 6, and in further view of Price (4,341,247). Regarding claim 8, Baba as modified by Schulz teaches everything noted above except a second measuring arm rotatably and operatively connected to the board. However, the use of two measuring arms is well known in the art such as taught by Price. Price teaches a cutting device including a board 30 having two measuring arms 45 which are connected to both sides of the board 30. See Fig. 1 and col. 9, lines 36-68 and col. 10, lines 1-62 in Price. It would have been obvious to a person of ordinary skill in the art to provide Baba's cutting device, as modified by Schulz with a second measuring arms just like the first one, as taught by Price, in order to support larger materials and align larger material to the cutter.

15. Claims 9 and 10, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Baba in view of Szabo (3,532,018). Regarding claim 9, Baba teaches everything noted above except a material clamp removably and operatively connected to the board wherein the material is secured between the board and the material clamp. Szabo teaches a material clamp 21 removably and operatively connected to the board 2 wherein the material is secured between the board and the material clamp 21. See Figs. 1-5 and col. 2, lines 14-55 in Szabo. It would have been obvious to a person of ordinary skill in the art to

provide Baba's cutting device with the material clamp as taught by Szabo in order to hold the material against the surface of the board and facilitate the cutting of the material.

Regarding claim 10, Baba as modified by Szabo teaches everything noted above including that the material clamp has a first and second end and elongated portion and the first and second ends include securing means 20 for removably securing the material clamp to the board 2. See Figs. 1-5 in Szabo.

16. Claims 18 and 19, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Baba in view of DuBois, as applied to claim 14, and in further view of Szabo. Regarding claim 18, Baba as modified by DuBois teaches everything noted above except a material clamp removably and operatively connected to the board wherein the material is secured between the board and the material clamp. Szabo teaches a material clamp 21 removably and operatively connected to the board 2 wherein the material is secured between the board and the material clamp 21. See Figs. 1-5 and col.2, lines 14-55 in Szabo. It would have been obvious to a person of ordinary skill in the art to provide Baba's cutting device, as modified by DuBois, with the material clamp as taught by Szabo in order to hold the material against the surface of the board and facilitate the cutting of the material.

Regarding claim 19, Baba as modified by above teaches everything noted above including that the material clamp has a first and second end and elongated portion and the first and second ends include securing means 20 for removably securing the material clamp to the board 2. See Figs. 1-5 in Szabo.

17. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Baba and in further view of Yang. Regarding claim 20, Weber teaches a material

cutting device including a rail member f, a cartridge assembly a, d slidably engaged with the rail member f along a cutting axis. The main frame and the gage d define the cartridge assembly. Weber also teaches a sleigh d in slidable engagement with the rail member f and a cartridge pivotally connected to the sleigh (d) at (a) first end of the cartridge. Weber also teaches a biasing member (e) operatively connected to the cartridge (a) at a second end of the cartridge and the biasing member biasing the cartridge away from the sleigh. See Figs. 1-4 and page 1, lines 1-100 in Weber. Weber does not teach a board upon which a material is to be cut and that rail member operatively and rotatably connected to the board. Baba teaches a board 12 upon which a material is to be cut and a rail assembly 14, which is rotatably connected, to the board 12. See Figs. 1-4 in Baba. It would have been obvious to a person of ordinary skill in the art to provide Weber's cutting device with the board and rotatable connection of the rail assembly with respect to the board as taught by Baba in order to support and hold the material to be cut on a surface and facilitate the cutting operations. Weber also teaches an upper casing member removably connected to the sleigh and d and being removable from the sleigh without the use of tools. The upper casing is defined by the top portion of the frame a wherein the spring (e) is positioned underneath of it. Weber also teaches a side casing member operatively connected to the upper casing. The element vertical side of the frame, which holds the arbor C2, defines the side casing member. Weber also teaches means C2 for securing the cutting element b between the upper and side casing elements. See Figs. 1-5 in Weber. Weber as modified above does not teach that the biasing member is fixedly attached to the upper casing member. However, the use of a spring fixedly attached to an upper housing of a cartridge is well known in the art such as taught by Yang.

Yang teaches a spring 34 fixedly attached to an upper casing 30 of a cartridge. See Fig. 4 in Yang. It would have been obvious to a person of ordinary skill in the art to provide Webber's cutting device, as modified by Baba, with a spring fixedly attached to the upper housing as taught by Yang, since both spring that is fixedly attached to the upper housing and a spring that is not fixedly attached to the upper housing function the same.

18. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Weber in view of Baba and Yang, as applied to claim 20, and in further view of DuBois. Regarding claim 21, Weber as modified above teaches everything noted above including that the cartridge a includes a cartridge casing and an axle C2 fixedly secured to the cutting element b. See Figs. 1-5 in Weber. Weber as modified above does not teach a coupling member positioned between the axle and the cartridge casing and the coupling member acting against the axle to align the cutting element against the rail member. However, the use of coupling member to act against the axle of a blade for keeping the blade align with a cutting axis is well known in the art such as taught by DuBois. DuBois teaches a coupling member 58 which is located between a casing of the knife assembly 36 and a shaft 49 for acting against the axle 49 to align the cutting element against the rail member 38. See Fig. 3 and col. 3, lines 46-68 in DuBois. It would have been obvious to a person of ordinary skill in the art to provide the cartridge of Weber's cutting device, as modified above, with a coupling member as taught by DuBois in order to keep the cutting element align with the wall of the rail member or the support edge of the rail member.

Response to Amendment

19. Applicant's arguments with respect to claims 1, 5, 13, and 20 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (571) 272-4501. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information

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for unpublished applications is available through Private PAIR only. For more information about the PAIR system, SEE <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (too-free).



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June 7, 2005